

Application No. 10/533,257
Response Dated February 23, 2010
Reply to Office Action of November 11, 2009

REMARKS

The Office Action mailed November 10, 2009 has been carefully considered by Applicant.

Claims 1-15 and 17-20 have been rejected on the grounds of non-statutory obviousness-type double patenting as being unpatentable over claims 1-21 of U.S. Patent No. 7,419,069. Herewith, Applicant submits a Terminal Disclaimer to overcome the double patenting rejection. Withdrawal thereof is respectfully requested.

Claims 1-15 have been provisionally rejected on the grounds of non-statutory obviousness-type double patenting as being unpatentable over claims 4-9 of co-pending U.S. Patent Application No. 10/479,906. Applicant notes that the '906 application has recently issued under U.S. Patent No. 7,537,133 and the cited claims 4-9 of the application have been changed in the issued patent. If this fact is deemed by the Examiner to be not enough to remove the double patent rejection, Applicant submits herewith a Terminal Disclaimer to overcome the rejection. Withdrawal thereof is respectfully requested.

With the enclosed timely filed Terminal Disclaimers, the present application is in condition for allowance in accordance with the Examiner's statement in paragraph 5 of the Office Action. Such action is respectfully requested.

Respectfully submitted,

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